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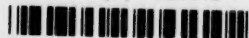
Violence against women migrant workers

Report of the Secretary-General

Summary

Pursuant to General Assembly resolution 56/131 of 19 December 2001, the present report provides information on measures taken by Member States and activities undertaken by organizations of the United Nations system and other intergovernmental bodies in the area of violence against women migrant workers. The report concludes with a series of recommendations for future action.

* A/58/50 Rev.1 and Corr.1.



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I. Introduction

1. In its resolution 56/131 of 19 December 2001, on violence against women migrant workers, the General Assembly urged Governments to strengthen further their national efforts to protect and promote the rights and welfare of women migrant workers, including through sustained bilateral, regional, interregional and international cooperation and by developing strategies and joint action. The Assembly put forward detailed recommendations to prevent violence against women migrant workers, to punish perpetrators and to support victims of such violence.

2. The General Assembly requested the Secretary-General to submit to it at its fifty-eighth session a report on the problem of violence against women migrant workers and on the implementation of resolution 56/131,¹ taking into account updated information from the organizations of the United Nations system, in particular the International Labour Organization (ILO), the United Nations Development Programme (UNDP), the United Nations Development Fund for Women (UNIFEM) and the International Research and Training Institute for the Advancement of Women (INSTRAW), as well as the International Organization for Migration (IOM) and other relevant sources, including non-governmental organizations (NGOs).

3. The present report is submitted in accordance with that request based, *inter alia*, on information received from Member States and entities of the United Nations system. Information about actions taken by intergovernmental and expert bodies on this subject is also included.

II. Measures taken by Member States

4. As at 6 June 2003, 29 Member States, Austria, Barbados, Belarus, Burkina Faso, Cyprus, Colombia, Denmark, El Salvador, Finland, Germany, Italy, Jamaica, Kyrgyzstan, Kuwait, Qatar, Lebanon, Malaysia, Mexico, Myanmar, Morocco, Norway, Oman, Portugal, the Russian Federation, Senegal, Spain, New Zealand, Thailand and Ukraine, had responded to the Secretary-General's request for information relating to the implementation of General Assembly resolution 56/131. They provided statistical data and information about forms of violence suffered by women migrant workers, as well as information about legal and support measures available to them.

Statistical data and information

5. Finland noted that, at the end of 2002, 103,700 foreign nationals resided in the country, about half of whom were women. The unemployment rate of foreign migrants was estimated at 27 per cent at the end of November 2002, and the unemployment rate of foreign migrant women was higher than that of men. The Russian Federation reported that, from January to October 2002, 2,697 Russian teenage girls and young women under 30 years of age had been placed by Russian licensed agencies in jobs abroad. Kyrgyzstan reported that women accounted for 57 per cent of people migrating into, and 55 per cent of people emigrating out, of the country, which was evidence of the greater mobility of women compared to men.

6. Jamaica provided information on women working abroad in Canada, the United States of America and at the United States Naval Base at Guantanamo Bay.

Approximately 14,000 workers migrated annually from Jamaica to work in these locations, through the Canadian programme (0.2 per cent female participants), the United States hotel workers programme (63 per cent female participants), the United States Naval Base (6 per cent female participants) and the United States farm workers programme (in which no Jamaican woman participated). Barbados noted that in 2001, 78 female workers participated in the seasonal agricultural programme to Canada as compared to 94 in 2002. Thirty-two female workers participated in the hotel workers programme to the United States in 2001, as compared to 20 in 2002.

7. Mexico reported that, between 1998 and 2002, 6.8 per cent of the annual average of 320,000 Mexican migrants who returned home from the United States were women. Forty-four per cent of these women were between 12 and 24 years old, and 58 per cent had completed at least one year of secondary education.

8. Malaysia noted that the incidence of violence against women migrant workers, in particular domestic maids, was relatively low compared to the total number of migrant maids. For instance, in 2002, a total of 56 cases of such violence had been reported against a total number of 164,211 migrant maids. Noting that it was a country of transit for illegal migrants, including women, Ukraine reported that, in 2002, its law enforcement organs had detained approximately 28,000 illegal migrants. In 2002, more than 400 women victims of trafficking, 28 of them minors, had been located and returned to Ukraine.

Forms of violence

9. Myanmar reported that violence against women migrant workers was not an issue in the country, but that there were cases of abuse and acts of violence against its citizens abroad, especially its women citizens engaged as migrant workers. El Salvador stated that migrant women were particularly vulnerable to psychological pressure and were also exposed to physical and sexual abuse when travelling, in camps and in destination countries. New Zealand reported that a substantial number of women in the country, including migrant women, were affected by partner abuse.

10. Several Member States, including Colombia, Cyprus, El Salvador, Denmark, Germany, Italy, Norway, Spain, Thailand and Ukraine, reported the existence of trafficking in women and girls. Italy stated that sexual exploitation of victims of trafficking was a form of violence against women migrant workers. Ukraine noted that violence against women was closely linked to trafficking in persons and illegal migration and that these phenomena were assuming a threatening scale throughout the region.

11. El Salvador reported that it was common for people who took the risk of illegal migration to the United States to use the services of traffickers. In most cases, such would-be migrants were ill-treated along the way, detained by border patrols and, in the worst cases, died. Most of the recorded cases involved women seeking passage to the United States, where, in addition to paying huge sums of money to traffickers, they were subjected to sexual abuse. Spain reported that there had been an increase in illegal migrant women forced to engage in prostitution in order to pay debts related to the costs of transport into the country.

Legal measures

International obligations

12. As of 6 June 2003, 21 States had ratified or acceded to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The Convention will enter into force on 1 July 2003. Of the Member States reporting, Colombia, El Salvador, Mexico, Morocco and Senegal have ratified the Convention. Burkina Faso reported that it had initiated the process of ratification. Several Member States also indicated their adherence to other international and regional human rights instruments, which contained provisions relevant to women migrant workers, including the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, both supplementing the United Nations Convention against Transnational Organized Crime. At the present pace of ratification, the International Convention is expected to enter into force during 2003 or early 2004, followed shortly thereafter by the entry into force of the above Protocols.

Domestic legal measures

13. Malaysia reported that articles 6 (1) and 6 (2) of the federal constitution and the penal code accorded to migrant workers, including women migrant workers, equal legal protection in respect of violence. Burkina Faso reported that its legislation condemned all forms of violence, including sexual violence, and that it applied to migrant workers. Moreover, women and girls were protected by the 1996 penal code, which punished crimes against the person, including violence. In Germany, women migrant workers enjoyed human rights protection as guaranteed by the constitution and, like everyone else, were protected by the provisions of the civil and penal law. El Salvador referred to the constitutional principle of legal equality and non-discrimination on the grounds of sex. The rights of women migrant workers were also protected through the Migration Act of 1958 and its Regulations of 1959, the Labour Code of 1972, and the act establishing the structure and functions of the labour and social security sector of 1996.

14. In Austria, protective measures for victims of domestic violence, including women migrant workers, had been considerably strengthened with the enactment of the Federal Act on Protection against Violence in the Family of May 1997. Under certain conditions, the perpetrator could be banned from the home and the immediate vicinity of the home, and could be forbidden from establishing any form of contact with the victim. In New Zealand, domestic violence was addressed through the Domestic Violence Act of 1995, which also covered migrants. The definition of domestic violence under this act was broad, incorporating physical, sexual and psychological abuse, including intimidation, harassment and threats.

15. In the Russian Federation, guarantees to protect the rights of women migrant workers were contained in article 21 of the constitution and in a federal law of 2002 on the legal status of aliens. According to article 18 of that law, employers needed the formal agreement of Government entities to recruit foreign workers, within the established quotas, and assumed responsibility for the accommodation and appropriate living and social standards of such workers. Article 240 of the Criminal Code of the Russian Federation established penalties for using violence or the threat

of violence, blackmail, destruction or damage of property to force persons into prostitution. In order to prevent the illegal job placement of Russian nationals abroad and to outlaw various types of abuse against them, the Russian Federation, through a decision of 2002, had established new licensing requirements and conditions in relation to job placements abroad.

16. Spain described legal provisions regulating the status of migrant workers, including a law of 2000, on the rights and liberties of migrants in Spain and their social integration. This law was based on the principles of equality and non-discrimination and applied, without distinction on grounds of sex, to foreigners living in the country. The same law recognized the right of resident foreigners' access to social security services under the same conditions of Spanish people. The right to basic social services was also guaranteed to undocumented foreigners. The Law on Foreigner Status assured maternity rights to all foreign pregnant women in the country. Access to social services to all immigrants, including those in irregular situations, was also guaranteed in Portugal, where legislation to regulate immigration and establish protection for immigrant women and men had been adopted in February 2003. Portugal addressed the issue of violence against women migrant workers in the context of violence against women in general.

17. Finland described legal provisions regulating the status of migrant workers, including: the Act on the Integration of Immigrants and the Reception of Asylum Seekers of 1999, aimed at promoting the integration, equality and freedom of choice of immigrants through measures to help them acquire the essential knowledge and skills needed to function in society; the Aliens Act of 1991; and the instructions of the Ministry of Labour concerning work permit statements of 2001. The work permit statement of the Ministry of Labour allowed for advance supervision, meaning that an expert assessment had to be made by the employment office concerning the appropriateness of the employee, the employer, the client or the employment relationship. Advance supervision was reported to efficiently eliminate violence towards women migrant workers. A new Aliens Act was under preparation, which would include proposals for enhancing the supervision of the terms of employment of foreign labour.

18. Qatar reported that, under a law of 1992, migrant workers entered the country under temporary contracts between the employer and offices licensed by the Ministry of Labour. It also reported that, in order to protect women workers, whether nationals or migrants, Qatar had devoted a separate chapter of a new draft law to the employment of women. This chapter would prohibit, inter alia, the employment of women in hazardous or strenuous work and work damaging to their health. Protection against employment in dangerous work was also guaranteed in Kuwait, through relevant articles of the Labour Code.

19. Lebanon stated that it had adopted several new measures and had strengthened existing measures to regulate the recruitment and employment of migrant workers and protect their rights. For example, agencies that brought workers into the country were obliged to find work for them through a contract that ensured decent employment relations. Such protection was further strengthened by the Lebanese Code of Obligations and Contracts, which stipulated that a contract was null and void if it did not reflect the true will of either party.

20. Belarus stated that, in conformity with its Act on External Labour Migration, the employment relationship with migrant workers was formalized in an

employment agreement (contract). The employment of migrant workers under conditions that diminished human dignity or caused harm to health was prohibited.

21. Mexico reported that progress was being made towards approval of draft legislation by the Chamber of Deputies, which would establish an office of the advocate general (ombudsman) for migrants, who would be responsible for defending the rights of internal migrants, immigrants and Mexican emigrants. An ombudsman for minorities had also been set up in Finland in 2001 as a way to promote good relations among ethnic groups in society and to monitor and enhance the status and rights of foreigners and ethnic minorities. Kuwait reported that, in order to provide greater protection and welfare for workers, a Supreme Advisory Committee had been established pursuant to a ministerial decision of August 1999.

22. The majority of Member States that provided information for the present report, including Austria, Colombia, Cyprus, Denmark, Germany, Italy, Kyrgyzstan, Norway, Spain, Thailand and Ukraine, also gave detailed descriptions of legislative measures aimed at combating trafficking in women and girls.²

Other measures of support

23. Mexico reported on the establishment of a mechanism to provide advice and ongoing support to migrants, especially women and children, and to receive complaints and reports concerning violation of their human rights. Work programmes to safeguard the human rights of migrants, regardless of their nationality or immigrant status, and to provide full legal and medical assistance to raped, battered or vulnerable women, especially those who were attacked by police, immigration or customs officials, had also been set up. In Portugal, the second National Plan on Gender Equality was being finalized. It addressed the question of migrants and ethnic and cultural minorities and included the promotion of women migrants' access to employment, education, professional training and health care. Moreover, the needs of women in migrant communities had been addressed in a seminar entitled "Migrant women — two faces of the same reality", organized by the Commission for Equality and Women's Rights in January 2003. Within this context, awareness-raising efforts were undertaken for officials dealing with migration issues and integration was pursued. Human rights education and training for police officers was also carried out in Germany in order to equip police officers with the necessary skills to handle the specific cases of women migrant workers who had been subjected to violence.

24. New Zealand provided information on its work permit and residence policies which had been changed in 2000 and 2001, respectively. Under these policies, women who were victims of domestic violence and met the criteria of the domestic violence policy could be granted three-month work permits. At the end of this period, women could apply for permanent residence as victims of domestic violence.

25. In Austria, centres for victims of violence in the family had been established to provide support to victims. The Government also supported several institutions in various Austrian provinces that offered counselling and support services to migrant women. Foreign women residing legally in the country and who could not be expected to continue living with an abusive spouse could obtain a work permit, provided that: the spouse had been convicted under criminal law; an interim injunction under the Protection from Violence Act had been issued by a court; or the marriage had been dissolved.

26. In El Salvador, the national policy on women aimed to establish mechanisms that guaranteed services in the emotional, psychological, medical and legal areas for victims of violence and sexual abuse with the participation of government agencies, NGOs, municipal agencies and the private sector. Moreover, the Government's Programme to Improve Family Relations provided social and legal assistance to victims of violence and social aggression, with the aim of promoting the integration and strengthening of the family.

27. Several Member States, including Belarus, Cyprus, Germany, Italy, Kyrgyzstan, Norway, Spain, Thailand and Ukraine informed the Secretariat of support measures available to women and girls who were victims of trafficking.

Prevention strategies

28. In Mexico, the National Institute for Migration had developed strategies on compliance with the human rights of migrants, with special emphasis on preventing abuse of women or minors for dissemination by the mass media. The Mexican Communities Abroad Programme of the Ministry of Foreign Affairs, in collaboration with the Ministry of Education and various departments of the educational sectors and their counterparts in the United States, coordinated programmes including programmes on education for migrant Mexican children, youth and adults.

29. Finland indicated that the Government's report on the implementation of the Integration Act had been completed in early 2002. The Government's guidelines took account of the need for the integration programme to also address violence against immigrant women and its prevention, and included a plan to train those working with women to recognize violence. The proposals for revising the Integration Act presented in the report were expected to be submitted to Parliament during 2003. Moreover, in order to prevent discrimination and racism, the Ministry of Labour was implementing the national action programme against racism as well as the action programme of the European Union against discrimination. Prevention of racial and ethnic discrimination measures were also carried out in Portugal, through partnerships among different organizations, including the Commission for Equality and Women's Rights.

30. In New Zealand, the Family Violence Prevention Strategy, published by the Ministry of Social Development, had been launched in 2002. It set out the Government's key goals and objectives, principles for future developments and a five-year implementation plan for maximizing progress towards the vision of a family-whānau³ living free from violence.

31. Spain reported that the Women's Institute provided funding to NGOs for projects to prevent violence against women. In Cyprus, the immigration authorities provided all migrant workers who entered the country for legal employment, with a leaflet in six languages defining their rights and obligations. In Denmark, a project group had been set up to look at the possibility of revising the rules relating to domestic violence in the Government's action plan to stop violence against women, allowing the police to expel threatening parties from the common home.

32. Cyprus, Colombia, Germany, Kyrgyzstan, Portugal, Spain, Thailand and Ukraine provided information on measures undertaken to prevent trafficking in women and girls.

Bilateral and international cooperation

33. Mexico reported that it had signed bilateral agreements with the United States Immigration and Naturalization Service in order to guarantee an orderly and safe repatriation of Mexican women and girls from the United States. Qatar had concluded a number of bilateral agreements with countries of origin of migrant workers in an effort to regulate the employment of such workers. The stipulation of bilateral agreements on matters related to migration was also reported by Austria, El Salvador, Thailand and Ukraine. In order to safeguard the rights of women migrant workers, the Russian Federation reported that it had signed the Commonwealth of Independent States Convention on Human Rights and Fundamental Freedoms.

III. Measures taken within the United Nations system

34. Since the fifty-sixth session of the General Assembly, a number of bodies of the United Nations system have undertaken further work with respect to violence against women migrant workers. Their activities are summarized below.

A. World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

35. At the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, in September 2001, States were urged to place special focus on gender issues, including gender discrimination, in particular when the multiple barriers faced by migrant women intersected, and to undertake detailed research in respect of human rights violations perpetrated against women migrants. It also urged States to consider adopting and implementing immigration policies and programmes that would enable immigrants, in particular women and children, who were victims of spousal or domestic violence, to free themselves from abusive relationships. The Conference called for the formulation and implementation of campaigns to sensitize citizens with respect to migrants and the challenges they faced. Public awareness was imperative to build positive attitudes, to recognize and value the work of migrants and to overcome racial and gender-based discrimination.

B. Commission on Human Rights

36. At its fifty-eighth session in 2002, the Commission on Human Rights addressed the situation of women migrants in several resolutions. In its resolution 2002/58, on violence against women migrant workers, the Commission called upon concerned Governments, in particular those of countries of origin and destination, to put in place sanctions to punish perpetrators of violence against women migrant workers, and to the extent possible, to provide victims of violence with the full range of immediate assistance, such as counselling, legal and consular assistance, temporary shelter and other measures that would allow them to be present during the judicial process, to safeguard their dignified return to the country of origin as well as to establish reintegration and rehabilitation schemes for returning women migrant workers. States concerned, specifically countries of origin and destination, were invited to consider adopting appropriate legal measures against intermediaries who

deliberately encouraged the clandestine movement of workers in violation of their human dignity. The Commission requested the Secretary-General to submit to it at its sixtieth session a comprehensive report on the issue.

37. In its resolution 2002/62, on the human rights of migrants, the Commission expressed concern at the manifestations of violence, racism, racial discrimination, xenophobia and other forms of intolerance and inhuman and degrading treatment against migrants, especially women and children, in different parts of the world. It decided to extend the mandate of the Special Rapporteur on the human rights of migrants for a period of three years, and urged States to ratify or to adhere to the United Nations Convention against Transnational Organized Crime and its two protocols. In its resolution 2002/68, on racism, racial discrimination, xenophobia and related intolerance, the Commission called upon all States to review and revise, where necessary, their immigration laws and policies and practices so that they were free of racial discrimination and compatible with States' obligations under international human rights instruments. The Commission also adopted resolution 2002/54 on the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and resolution 2002/59 on the protection of migrants and their families.

38. At its fifty-ninth session in 2003, the Commission adopted resolution 2003/46, on the human rights of migrants, in which it encouraged States, in cooperation with NGOs, to undertake information campaigns aimed at clarifying opportunities, limitations and rights in the event of migration, so as to enable everyone, in particular women, to make informed decisions and to prevent them from becoming victims of trafficking and utilizing dangerous means of access that put their lives and physical integrity at risk. The Commission also adopted resolution 2003/48, on the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

C. Special Rapporteur of the Commission on Human Rights on the human rights of migrants

39. During the period under review, the Special Rapporteur of the Commission on Human Rights on the human rights of migrants expressed concern about the vulnerability of migrant women to abuses and violations of their human rights, including violence, racial discrimination and xenophobia in all phases of the migration process. She also stressed that migrant women were particularly vulnerable to trafficking by criminal networks. The Special Rapporteur paid particular attention to the situation of women migrant domestic workers. During the Regional Summit on Foreign Migrant Workers, held in Colombo, Sri Lanka, from 26 to 28 August 2002, the Special Rapporteur emphasized that, in addition to abuses and discrimination they faced because of their irregular status, their national origin and/or employment, women migrants were too frequently victims of violence, in particular of a sexual nature, at their place of work.

40. According to information received by the Special Rapporteur, examples abounded of cases in which female migrant domestic workers found themselves in precarious situations without access to the legal remedies or recourse to denounce abusive employers. When employers did not allow their domestic employees to leave their place of work, migrant domestic workers were deprived of any contact

with the outside world. This practice facilitated abuses, impeded migrants from denouncing their employers and prevented migrants from feeling integrated in their new country of residence.

41. During her visit to the border between Mexico and the United States, the Special Rapporteur was informed that trafficking in migrants was reaching serious proportions. Many of the victims were women from the poorest parts of Mexico who had been promised work as nannies or housemaids in the United States. The Special Rapporteur received information about trafficking networks that recruited migrants on false pretences to work in conditions approaching slave labour in farms or in factories in the United States. In the report on her visit to Mexico,⁴ the Special Rapporteur described the situation of vulnerability of migrants to extortion, ill-treatment and sexual abuse by criminal gangs and smugglers. She also received complaints about the alleged involvement of a number of migration officials and/or police officers in such abuses.

42. During her visit to the Philippines,⁵ the Special Rapporteur noted with concern the vulnerability of Filipino migrant women to sexual exploitation, trafficking and smuggling, especially those women recruited as entertainers or travelling as mail-order brides and domestic workers. The Government's measures in this regard, proved not to be effective in protecting the rights and dignity of women migrant workers against the illegal practices linked to the very profitable sex industry. However, the Special Rapporteur underlined the need to maintain and strengthen the Government's migration management and control mechanisms.

43. In her report⁶ to the fifty-ninth session of the Commission on Human Rights, the Special Rapporteur emphasized that administrative measures to contain irregular migration, such as deprivation of liberty, were undertaken without due regard for the individual history of migrants. Often there were no specific provisions regarding the detention of pregnant women, which led to their detention under conditions that frequently violated their basic human rights and were detrimental to their physical and mental health. In this regard, the Special Rapporteur recommended that Governments consider the possibility of progressively abolishing all forms of administrative detention.⁷

44. The Special Rapporteur also participated in the Hemispheric Conference on Migration, held in Santiago in November 2002, where she spoke about the vulnerability of migrants to trafficking and smuggling and recommended measures to combat these phenomena from a human rights perspective.⁸

D. Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences

45. In her report to the fifty-ninth session of the Commission on Human Rights,⁹ the Special Rapporteur of the Commission on violence against women, its causes and consequences addressed the issue of violence against migrant women. The report contained a detailed review of international, regional and national developments and best practices for ways and means of combating violence against women over the period from 1994 to 2003. The Special Rapporteur provided information on law reforms as well as programmes and policies taken by States to address and prevent violence against migrant women. She concluded that, despite the progressive and protective measures taken by some States, including mandatory

registration and insurance coverage, women migrant workers were increasingly in vulnerable situations and subjected to abuse. States were urged to ensure the full and effective enforcement of measures taken to protect women migrant workers, including preventive activities of illegal employment agencies.

E. Subcommission on the Promotion and Protection of Human Rights

46. At its twenty-sixth session in 2001, the Working Group on Contemporary Forms of Slavery of the Subcommission on the Promotion and Protection of Human Rights discussed the situation of migrant workers and domestic migrant workers.¹⁰ It noted the difficult situation in which migrant workers, especially women and children, were living and the need to provide them with protection, with a view to ensuring their fullest human development and participation in the life of their community. It urged Governments to ensure that protective regulations governed the employment situation of migrants and provided for safe conditions of work. The Working Group raised similar issues at its twenty-seventh session in 2002.¹¹

47. At its fifty-third session in 2001, the Subcommission on the Promotion and Protection of Human Rights adopted resolution 2001/11, on the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, in which it recommended that the Conference carefully consider the relationship between discrimination based on race and gender as well as address the treatment of migrants and victims of trafficking and the related phenomenon of xenophobia.

F. Human rights treaty bodies

48. In the period under review, some of the treaty bodies established under international human rights conventions addressed issues related to migration, including the enjoyment of human rights by migrant workers and their families, as well as the situation of trafficked women and children. However, the issue of violence against women migrant workers was taken up primarily by the Committee on the Elimination of Discrimination against Women.

49. When examining the initial report of Andorra¹² at its twenty-fifth session in 2001, the Committee on the Elimination of Discrimination against Women expressed concern about the situation of women migrant workers, in particular those who worked in the tourist industry, and urged Andorra to provide full details in its next report on the situation of migrant workers and on the enjoyment by women working in the tourist industry of the rights established under the Convention. When examining the initial and second periodic report of Singapore,¹³ the Committee expressed concern that foreign domestic workers were prohibited from working during criminal proceedings against their employers and that this forced such workers to leave Singapore without waiting to receive compensation from them. The Committee recommended that Singapore lift the prohibition and take measures to enable domestic workers to give evidence against their employers before leaving the country. At the same session, the Committee expressed concern at the continuing discrimination against immigrant, refugee and minority women living in the Netherlands,¹⁴ who suffered from double discrimination, based on sex and ethnic background.

50. At its twenty-seventh session in 2002,¹⁵ the Committee expressed concern about the situation of migrant, refugee and minority women in Denmark, including discrimination in education and employment and about the gender-based discrimination and violence they experienced. The Committee urged Denmark to be proactive in its measures to prevent discrimination against migrant, refugee and minority women, both within their communities and in society at large, to combat violence against them, and increase their awareness of the availability of social services and legal remedies. When considering the fifth periodic report of Canada, at its twenty-eighth session in 2003,¹⁶ the Committee urged the State party to implement fully the gender-based impact analysis and reporting requirements provided in the new Immigration and Refugee Protection Act with a view to eliminating remaining provisions and practices which still discriminated against immigrant women. At the same session, the Committee expressed concern about the multiple discrimination faced by migrant, refugee and minority women in Norway with respect to access to education, employment and health care and exposure to violence, and recommended that Norway, *inter alia*, include a gender dimension in legislation against ethnic discrimination.¹⁷

51. Similar concerns were expressed when the Committee considered the combined initial and second periodic reports of Switzerland. In particular, the Committee was concerned about the particular situation of foreign women who experienced domestic violence and whose residence permits depended on their living together with their spouse. The Committee therefore recommended that revocation of the temporary residence permits of foreign married women who experienced domestic violence, and any legislative changes with regard to residency requirements be undertaken only after a full assessment of the impact of such measures on those women.¹⁸

52. In its concluding observations on Italy, adopted at its fifty-ninth session in 2001,¹⁹ the Committee on the Elimination of Racial Discrimination took note of the high number of women in the immigrant labour force engaged in domestic work and, aware of the possibility that they might easily be exploited, recommended that Italy take all appropriate measures to reduce that risk.

53. In its concluding observations on Mali, adopted at its seventy-seventh session in 2003,²⁰ the Human Rights Committee expressed concern about the situation of migrant girls leaving the countryside for the towns to work as servants, who were often victims of rape and ill-treatment. The Committee recommended, *inter alia*, that Mali intensify its efforts to punish those responsible for the exploitation of migrant girls and adopt and develop appropriate complaint and protection mechanisms.

IV. Other activities taken by entities within the United Nations system

54. A number of entities within the United Nations system provided information on their activities regarding violence against women and women's migration.

A. Economic Commission for Africa

55. The Economic Commission for Africa continued to work in close collaboration with the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children on issues related to violence against women, including women migrant workers. The Committee participates in the annual campaign, 16 Days of Activism Against Gender Violence, and its national committees and affiliates execute different activities in the campaign to end violence against women.

B. Economic Commission for Latin America and the Caribbean

56. In November 2002, the Economic Commission for Latin America and the Caribbean, in collaboration with IOM, organized the Hemispheric Conference on International Migration: Human Rights and Trafficking in Persons in the Americas. The Conference aimed at fostering an integral vision of migration. The subject of women migrant workers was discussed in different panels and the Women and Development Unit of the Commission presented a document entitled "Trata de Mujeres: Conexiones y Desconexiones entre Género, Migración y Derechos Humanos".

C. United Nations Division for the Advancement of Women

57. In November 2002, the United Nations Division for the Advancement of Women, in collaboration with the United Nations Office on Drugs and Crime, organized an expert group meeting on "Trafficking in Women and Girls" in Glen Cove, United States of America. The expert group meeting discussed good practices and adopted a number of recommendations to combat trafficking in women and girls from a gender and human rights perspective. Recommendations also addressed the issue of safe migration. In particular, the meeting recommended that Governments: regulate employment and travel agencies and develop mechanisms for accountability, including those that ensure safe living and working conditions compatible with human respect and dignity; conclude bilateral and regional agreements that provide protection of immigrant workers, especially women; and build women's and children's capacity to deal with potential exploitation through pre-departure gender and rights-based orientation training, distribution of information on safe migration, public service advertisements, radio, television, print media and the establishment of hot lines.

58. The results of the expert group meeting were presented to the forty-seventh session of the Commission on the Status of Women in March 2003, which considered the theme "Women's human rights and the elimination of all forms of discrimination against women as defined in the Beijing Platform for Action and the outcome document of the twenty-third special session of the General Assembly". They were also presented to the twelfth session of the Commission on Crime Prevention and Criminal Justice in May 2003, which held a thematic discussion on "Trafficking in human beings, especially women and children".

D. United Nations Centre for International Crime Prevention

59. The responsibilities of the United Nations Centre for International Crime Prevention and its Office on Drugs and Crime for matters related to crime prevention and criminal justice include the issue of violence in general, as well as in the context of specific categories of victims such as women migrant workers. Such problems can be addressed both through reactive measures, such as the enactment and enforcement of appropriate criminal offences to deter violence, as well as proactive measures directed at the alleviation of social, economic and other conditions which produce violence. Subject to the availability of resources, the Centre advises Governments about possible domestic measures in these areas.

E. United Nations Development Programme

60. UNDP has initiated studies and consultations in India on the vulnerability of migrants to HIV/AIDS, and is working with its civil society partners and women migrant workers and other marginalized communities, through community-based models for empowerment, to reduce their vulnerabilities through the facilitation of informed choices.

61. In Pakistan, upon the request of the Ministry of Women Development and Social Welfare and Special Education, UNDP has produced two policy documents to be used by the Government of Pakistan on the issues of violence against migrant women and trafficking. These documents cover general and specific implementation requirements for Pakistan and refer to Commission on Human Rights resolution 2000/54 on violence against women migrant workers and the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution.

F. United Nations Development Fund for Women

62. In 2001, UNIFEM launched a regional programme in Asia to empower women migrant workers by helping to create an enabling policy and an institutional and socio-economic environment to ensure women's equal access to opportunities, resources and benefits at all stages of the migration process. The programme focuses on poor women migrating legally overseas as domestic workers. Countries covered include Nepal, Indonesia and the Philippines as source sites and Jordan as a destination country. The programme is being implemented within the context of increasing migration for work in the region; changing trends in overseas migration (a new feature being its feminization); the recruitment of women primarily into lower skilled jobs in the informal manufacturing and service sector, where they suffer gross human rights violations; and the qualitative difference in the migration experience of men and women, circumscribed by class, ethnicity, nationality and gender inequities.

63. In Latin America, given similar trends towards the feminization of migration, UNIFEM is supporting the building of a knowledge-base on the current migratory processes that affect women, their causes and consequences, with a view to informing policy-making. In its first phase, it is specifically examining Ecuador and Peru as sending countries and Chile and Argentina as recipient countries. UNIFEM expects to expand this work to Central America, Mexico and the Caribbean at a later stage.

G. International Research and Training Institute for the Advancement of Women

64. Building on its earlier work on temporary migration of women in Bangladesh and Sri Lanka, INSTRAW initiated the compilation of resources on the subject that may be accessed through the INSTRAW online database.

H. International Labour Organization

65. The rights of men and women workers, and of migrant women and girls in particular, are protected by a comprehensive set of ILO conventions and recommendations. The principles and rights embedded in these conventions were reaffirmed by the ILO Declaration on Fundamental Principles and Rights at Work, and in its follow-up (1998), which stated that special attention had to be paid to the situation of migrant workers.

66. ILO's activities to protect women migrant workers against discrimination, violence and abuse concentrate on assisting countries in policy formulation, and in establishing or strengthening legislation, administrative measures, structures and practices for the effective management of labour migration. A main focus in ILO's work is to improve the knowledge base concerning working conditions, recruitment and employment practices of migrant workers.

67. During the period under review, ILO carried out studies on the treatment of migrant domestic workers in Costa Rica, Bahrain, Lebanon and Kuwait. The aim of the research was to assess the working conditions of domestic helpers, identify problems and determine the factors contributing to their vulnerability, including recruitment and employment practices. The Special Action Programme to Combat Forced Labour, which had been established by ILO as a follow-up to the Global Report on the elimination of all forms of forced or compulsory labour (2001), implemented projects on the eradication of trafficking and forced migration in several countries of south-east Europe and Ukraine.

68. A tripartite general discussion of men and women migrant workers, including their vulnerability to discrimination, violence and abuse, will be held in June 2004 during the International Labour Conference. An information guide on women migrant workers, containing case studies on good practices on 11 member countries, is under preparation. The guide is intended to assist and enhance the efforts of government agencies, workers' and employers' organizations as well as NGOs, in both sending and destination countries, to improve the situation of female migrants and to protect them against discrimination, exploitation and abuse, including trafficking.

I. Food and Agricultural Organization of the United Nations

69. Although the activities of FAO do not specifically focus on violence against female migrants, one of the aims of FAO's work on rural demographic change and food security, rural poverty, gender and sustainable development is to promote policies and programmes that support rural livelihoods and encourage investment in rural areas. Such interventions aim to improve the conditions under which rural-

urban migration, both within countries and across borders, takes place and also to reduce the risks (economic, health, social, including violence against women) associated with population mobility. FAO's activities to mitigate the impact of rural-urban migration focus on improving knowledge about migrant workers. Particular attention is paid to corrective measures to address prevailing discriminatory wage systems; on disaggregating data by sex in agricultural censuses and surveys; and on the non-household labour force, in particular seasonal work. In 2002, FAO, in collaboration with the World Food Programme (WFP), published a "Passport for Gender Analysis" on the six phases of the emergency cycle as a tool for analysing, preventing and addressing conditions that could lead to violence and discrimination against women in situations of conflict, famine and natural disasters, which may be more conducive to violence against women.

J. United Nations Educational, Scientific and Cultural Organization

70. In its work, UNESCO promotes respect for the human rights of migrants and their integration into society. In recent years, UNESCO has brought increasing attention to the issue of exploitative migration of women and children. It has contributed to the global effort in combating violence against women migrant workers by: conducting data collection through its UNESCO trafficking statistics project and policy-oriented research on the structural dimensions of exploitative migration to serve as basis for comprehensive strategies; collecting and disseminating best practices in combating exploitative migration of women and children among sending, transit and destination countries, for better policy formulation; and promoting policy dialogue among researchers, decision makers, international organizations and representatives of civil society in order to foster joint actions to protect women and children migrants at local, regional and international levels. UNESCO is carrying out several projects on migration issues to support its research and data collection, including a project on urban poverty alleviation among young and female migrants, which is being implemented in China, Cambodia and the Lao People's Democratic Republic. The project aims to contribute to a better understanding of rural-urban migration and to poverty reduction among, and social reintegration of, young and women migrants.

V. Other intergovernmental bodies

International Organization for Migration

71. A key element in the gender policy of IOM is recognition of the feminization of international migration, that is, the trend towards women increasingly being independent actors in the migration process, especially as labour migrants. In this context, women face greater risks of gender-based violence, including trafficking and other rights abuses. IOM has thus placed special emphasis on prevention of such abuses through multimedia public information campaigns in countries of origin aimed at potential women migrants. These campaigns seek to raise consciousness of the realities of migration as well as ways potential women migrants can recognize and address the challenges they may face. IOM also works with Governments and NGO partners to provide practical pre-departure training for migrant women. The most recent example of the latter began in the Philippines in June 2003: the training

programme, entitled "The Power to Choose — a Guide for Women Migrant Workers", used both videos and printed materials, which remain in the possession of the migrants after the course is completed.

VI. Conclusions and recommendations

72. Violence against women migrant workers remains an issue of concern of Member States and entities of the United Nations system. Various measures to address violence against women migrant workers have been undertaken in a number of countries, including legislative changes to protect women from all forms of violence, promote women's access to social security services and ensure that women migrant workers do not suffer discrimination in employment-related matters. Prevention strategies, including education interventions and economic empowerment approaches targeted at potential women migrant workers, have been carried out in various countries of origin. The practices of recruitment agencies have been regulated and human rights training and sensitization workshops for police officers and different agents dealing with migrants or victims of violence have been undertaken in a number of countries. Ombudsman offices have also been created in order to defend the rights of migrants, and rehabilitation and reintegration programmes for migrants who are victims of violence have been set up. Moreover, a number of countries of origin and destination have concluded bilateral agreements to ensure the safe repatriation of migrants and to regulate the employment of workers. However, information on the impact of such measures remains limited. Intergovernmental and expert bodies have continued to refine and expand their attention to take in the situation of women migrant workers, putting forward a broad range of recommendations for action by Governments and other stakeholders. Although progress has been achieved in some areas, efforts should be continued and expanded, particularly in the areas of legislation, access to social services, prevention, awareness and training.

73. The lack of comprehensive and timely data on the number of women migrants and, in particular, on the violence and discrimination they suffer, remains an obstacle to understanding the scale of the phenomenon, making it more difficult to design appropriate policies to combat such violence and discrimination. Further efforts are therefore needed to improve the knowledge base in this area.

74. In order to more effectively prevent and eliminate violence against women migrant workers, the impact of legislative and other measures, including the impact of support measures for migrant women who are victims of domestic violence, need to be assessed more systematically and relevant information on lessons learned and good practices widely shared. Information is also needed on the gender-specific impact of labour and immigration legislation, especially in respect of the enjoyment by women migrant workers of the full range of human rights.

75. Efforts are needed to improve access to legal protection for women seeking to migrate in order to work, so as to reduce their vulnerability to exploitation, ill-treatment and trafficking.

76. Of particular importance is the need to further explore the link between migration and trafficking and to address the two issues accordingly, with a particular focus on the need to protect women from all forms of violence,

irrespective of their immigrant status. Governments and other actors should be encouraged to provide information on the reflection of this link in their legislative and other measures. Other actors, especially relevant entities of the United Nations system and of civil society, should also be encouraged to place enhanced emphasis on this link.

77. Governments should be encouraged to ratify the international instruments dealing with migration issues, particularly the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the United Nations Convention against Transnational Organized Crime and its two Protocols and all relevant ILO conventions. Moreover, the Special Rapporteurs of the Commission on Human Rights on the human rights of migrants and on violence against women, its causes and consequences, and all the international human rights treaty bodies, should be invited to continue to pay particular attention to the situation of women migrant workers.

Notes

¹ See A/56/329.

² The report of the Secretary-General on trafficking in women and girls, mandated by General Assembly resolution 57/176 of 18 December 2002, will be submitted to the fifty-ninth session of the General Assembly.

³ *Whānau* refers to "family group" in the Maori community.

⁴ E/CN.4/2003/85/Add.3 and Corr.1.

⁵ E/CN.4/2003/85/Add.4.

⁶ E/CN.4/2003/85.

⁷ *Ibid.*, para. 74.

⁸ *Ibid.*, para. 11.

⁹ E/CN.4/2003/75/Add.1.

¹⁰ E/CN.4/Sub.2/2001/30.

¹¹ E/CN.4/Sub.2/2002/33.

¹² *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38 (A/56/38)*, para. 43.

¹³ *Ibid.*, para. 81.

¹⁴ *Ibid.*, para. 205.

¹⁵ *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 38 (A/57/38)*, paras. 343 and 344.

¹⁶ *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 38 (A/58/38)*, part I, paras. 363 and 364.

¹⁷ *Ibid.*, para. 414.

¹⁸ *Ibid.*, paras. 120 and 121.

¹⁹ *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 18 and corrigendum (A/56/18 and Corr.1)*, para. 314.

²⁰ CCPR/CO/77/MLI, para. 18.



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Items 74 (d), (t), (x) and (y) of the preliminary list*

General and complete disarmament

Towards a nuclear-weapon-free world: the need for a new agenda

Nuclear disarmament

Reducing nuclear danger

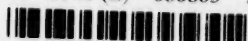
Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*

Report of the Secretary-General

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* A/58/50/Rev.1 and Corr.1.



I. Introduction

1. The present report is being submitted pursuant to the requests contained in the following resolutions adopted by the General Assembly at its fifty-seventh session on 22 November 2002: 57/59, "Towards a nuclear-weapon-free world: the need for a new agenda"; 57/79, "Nuclear disarmament"; 57/84, "Reducing nuclear danger"; and 57/85, "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*".
2. By paragraph 24 of resolution 57/59, the General Assembly acknowledged the report of the Secretary-General on the implementation of resolution 55/33 C and requested him, within existing resources, to prepare a report on the implementation of the resolution.
3. By paragraph 19 of resolution 57/79, the General Assembly requested the Secretary-General to submit to the General Assembly at its fifty-eighth session a report on the implementation of the resolution.
4. By paragraph 5 of resolution 57/84, the General Assembly requested the Secretary-General to intensify efforts and support initiatives that would contribute towards the full implementation of the seven recommendations identified in the report of the Advisory Board on Disarmament Matters (A/56/400) that would significantly reduce the risk of nuclear war, and also to continue to encourage Member States to endeavour to create conditions that would allow the emergence of an international consensus to hold an international conference as proposed in the United Nations Millennium Declaration, to identify ways of eliminating nuclear dangers, and to report thereon to the General Assembly at its fifty-eighth session.
5. By paragraph 3 of resolution 57/85, the General Assembly requested all States to inform the Secretary-General of the efforts and measures they had taken on the implementation of the resolution and nuclear disarmament, and requested the Secretary-General to apprise the General Assembly of that information at its fifty-eighth session.

II. Observations

6. The year 2003 marks the twenty-fifth anniversary of the tenth special session of the General Assembly, the first devoted to disarmament, when Member States agreed that nuclear weapons posed the greatest danger to mankind and to the survival of civilization. Today, weapons of mass destruction, in particular nuclear weapons, remain a grave concern for the international community. The implementation of disarmament and non-proliferation measures continues to be a major challenge in the maintenance of international peace and security. Various efforts have been made to reduce the existing nuclear arsenals and to strengthen the nuclear non-proliferation regime at the unilateral, bilateral and multilateral levels. Some progress has been made in reducing nuclear weapons and promoting non-proliferation through measures taken by the nuclear-weapon States. On 1 June 2003, the Russian Federation and the United States of America completed the ratification process of the Treaty on Strategic Offensive Reductions (the "Moscow Treaty"). The Secretary-General welcomes this achievement as a positive step towards nuclear disarmament. To contribute further to the strengthening of international peace and

security, the implementation of the Treaty should be done in a transparent, verifiable and irreversible manner.

7. Despite the progress made thus far in reducing the threat from nuclear weapons, further efforts are required to advance the process of nuclear disarmament and non-proliferation. In this regard, existing arms limitation and disarmament agreements need to be strengthened by ensuring full compliance, effective implementation of their provisions and achieving universality. At the second session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held from 28 April to 9 May 2003 in Geneva, the States parties reaffirmed that the Treaty is the cornerstone of the global non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament. It was noted, nevertheless, that the Treaty should be seen in its larger context of coherent commitments and credible progress towards nuclear disarmament and that nuclear disarmament and non-proliferation were mutually interdependent and reinforcing. The Secretary-General welcomes the accession of Cuba and Timor-Leste to the Treaty, which brings it closer to its universality. The decision by the Democratic People's Republic of Korea to withdraw from the Treaty, the first decision of its kind since its entry into force 33 years ago, is regretted and the Secretary-General strongly urges its reconsideration.

8. Seven years after its opening for signature, the Comprehensive Nuclear-Test-Ban Treaty still lacks the ratifications required for its entry into force. The Secretary-General reiterates his call upon the States which have not yet done so, especially those States whose ratification is necessary for its entry into force of the Treaty, to sign and ratify it at the earliest possible date. Pending the entry into force of the Treaty, it is essential that the moratoriums on nuclear-weapon-test explosions or any other nuclear explosions be maintained.

9. It is regrettable that, for yet another year, the protracted lack of agreement on a programme of work has blocked the resumption of substantive work by the Conference on Disarmament, including on nuclear disarmament. It is of utmost importance that the potential of the Conference as the single multilateral disarmament negotiating body be fully utilized. The Secretary-General urges the Member States of the Conference on Disarmament to renew their efforts and political will so that agreement may be reached on a substantive programme of work.

10. Efforts and initiatives that would contribute towards the full implementation of the seven recommendations identified in the report of the Advisory Board on Disarmament Matters (A/56/400) that would significantly reduce the risk of nuclear war should be intensified and supported. With regard to the proposal contained in the United Nations Millennium Declaration for convening an international conference to identify ways of eliminating nuclear dangers, consultations with Member States demonstrate that the time has not yet come for the consideration of interim measures leading up to the convening of such a conference. In response to the request contained in General Assembly resolution 57/84, the Secretary-General will continue to encourage Member States to endeavour to create the conditions that would allow the emergence of an international consensus to hold an international conference.

11. In view of the grave security threat posed by nuclear weapons, including by the potential use of such weapons by non-State actors, there is a pressing need for

the international community to accelerate the nuclear disarmament process and strengthen nuclear non-proliferation and security measures. In this regard, it is essential for Member States to overcome their divergent positions in the interest of international peace and security. The United Nations, in fulfilling its mandate, will continue to assist Member States in their efforts in the area of nuclear disarmament and non-proliferation, as well as to promote dialogue and public awareness to strengthen support for nuclear disarmament and non-proliferation.

III. Information received from Governments

12. As regards General Assembly resolution 57/85, entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*", all Member States were invited, via a note verbale dated 5 March 2003, to inform the Secretary-General of the efforts and measures they had taken with regard to the implementation of the resolution. To date, replies have been received from Antigua and Barbuda, Cuba, Mexico and Venezuela, the text of which is reproduced below. Any additional replies received from Member States will be issued as addenda to the present report.

Antigua and Barbuda

[Original: English]

[3 April]

13. With reference to operative paragraph 3, Antigua and Barbuda prescribes to the resolution and has no involvement with anything nuclear; and is irrevocably opposed to any use of nuclear weapons.

Cuba

[Original: Spanish]

[14 May]

14. The advisory opinion of the International Court of Justice of 8 July 1996 on the *Legality of the Threat or Use of Nuclear Weapons* is an historic document in the nuclear weapons sphere and constitutes an important legal precedent which requires appropriate follow-up.

15. Cuba believes that the threat or use of nuclear weapons is illegal under all circumstances and at all times.

16. The very existence of nuclear weapons and of so-called doctrines of nuclear deterrence produces a global climate of instability and insecurity. The only way to prevent future nuclear catastrophes is to completely eliminate and permanently ban nuclear weapons.

17. It should be recalled that paragraph E of the advisory opinion states that: "the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law".

18. The advisory opinion makes it clear that the nuclear-weapon States have a legal obligation not just to pursue but also to conclude in good faith negotiations aimed at achieving complete nuclear disarmament under a strict and effective system of international control.

19. In line with the view expressed by all States Members of the United Nations in the Final Document of the first special session of the General Assembly devoted to disarmament, held in 1978, Cuba considers nuclear disarmament to be the top disarmament priority.

20. Paragraph 50 of the Final Document remains fully relevant, in that it draws attention to the need for the urgent negotiation of agreements leading to: cessation of the qualitative improvement and development of nuclear-weapon systems; cessation of the production of all types of nuclear weapons and their means of delivery, and of the production of fissionable material for weapons purposes; and a comprehensive, phased programme with agreed time frames, whenever feasible, for progressive and balanced reduction of stockpiles of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time.

21. The Millennium Declaration adopted by the Heads of State and Government on 8 September 2000 includes the express commitment to "strive for the elimination of weapons of mass destruction, particularly nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers". Cuba is in favour of holding such a conference as soon as possible.

22. In 2002, despite a dangerous international climate and the permanent hostility shown towards it by the world's main nuclear Power, the only such Power in our hemisphere, Cuba became a party to the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) and the Treaty on the Non-Proliferation of Nuclear Weapons. In doing so, Cuba gave a further demonstration of its political will and of its firm commitment to the complete eradication of nuclear weapons from the face of the Earth.

23. Cuba regrets that the Conference on Disarmament remains unable to establish an ad hoc committee to negotiate on the issue of nuclear disarmament. It believes that this committee should be established as a matter of priority, with a mandate to commence negotiations on a phased programme of nuclear disarmament aimed at the ultimate elimination of nuclear weapons within a specific time frame and under strict international control.

Mexico

[Original: Spanish]
[13 May]

24. The advisory opinion of the International Court of Justice of 8 July 1996 remains fully valid, in that it states that: "There is in neither customary nor conventional international law any specific authorization of the threat or use of nuclear weapons" and that: "There is an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control".

25. That is why Mexico sponsored General Assembly resolution 57/85 of 22 November 2000, entitled "Follow-up to the advisory opinion of the International Court of Justice of 8 July 1996 on the *Legality of the Threat or Use of Nuclear Weapons*", by which the General Assembly once again called upon all States to fulfil their obligation to commence multilateral negotiations leading to a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination.

26. The Government of Mexico deplores the scant progress made by the nuclear-weapon States in fulfilling their unequivocal undertaking to eliminate their nuclear arsenals and implement the 13 practical steps agreed upon by the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

27. Recently, there have been some worrying developments in the field of nuclear disarmament. The first is the resurgent role of nuclear weapons in the security policies of some nuclear Powers. The second is the weakening of the nuclear non-proliferation regime as a result of the emergence of countries with a nuclear capability that are not parties to the Treaty on the Non-Proliferation of Nuclear Weapons, as well as the possibility that States parties may withdraw from that instrument. Within that context, the Government of Mexico will continue its efforts to promote general and complete disarmament under international control.

28. Moreover, the escalation of the nuclear arms race has been aggravated by the continuing failure of the Conference on Disarmament both to establish a subsidiary body with a mandate to deal with nuclear disarmament and to commence negotiations on a non-discriminatory, multilateral and verifiable treaty banning the production of fissile material for the manufacture of nuclear weapons, as agreed at the 2000 Review Conference.

29. Mexico has emphasized the need to negotiate a legally binding instrument on security assurances of non-use or non-threat of use of nuclear weapons against non-nuclear-weapon States, as well as the urgent need for the nuclear-weapon States to give a legal undertaking not to be the first to use nuclear weapons.

Venezuela

[Original: Spanish]

[16 May]

30. The Government of the Bolivarian Republic of Venezuela is pleased to report that it ratified the Comprehensive Nuclear-Test-Ban Treaty on 13 May 2002. Moreover, two seismological stations of the Comprehensive Nuclear-Test-Ban Treaty Organization have been set up in the states of Anzoátegui and Mérida. Venezuela has also participated in a number of international seminars and meetings on the issue.



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Item 78 of the preliminary list*

**Convention on Prohibitions or Restrictions on the Use of Certain
Conventional Weapons Which May Be Deemed to Be Excessively
Injurious or to Have Indiscriminate Effects**

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

Report of the Secretary-General

Summary

By its resolution 57/98 of 22 November 2002, the General Assembly requested the Secretary-General, in his capacity as depositary of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and the Protocols thereto, to inform it periodically of the status of the Convention.

The present report provides information on action taken on the Convention and its Protocols during the period from 1 June 2002 to 10 July 2003.

* A/58/50/Rev.1 and Corr.1.



1. In its resolution 57/98 of 22 November 2002, the General Assembly requested the Secretary-General, in his capacity as depositary of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and the Protocols thereto, to continue to inform it periodically of ratifications and acceptances of and accessions to the Convention and its Protocols.¹

2. Pursuant to that request, the Secretary-General submits herewith information on the status of the Convention and its Protocols as at 10 July 2003:

(a) The following 90 States were parties to the Convention and at least two of its Protocols: Albania, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Cape Verde, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Holy See, Hungary, India, Ireland, Israel, Italy, Japan, Jordan, Lao People's Democratic Republic, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Nauru, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Senegal, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan and Yugoslavia;

(b) In accordance with the provisions of article 5 (1) (2) of the Convention, the amendment to article 1 shall enter into force six months after the date of deposit of the twentieth instrument of ratification, acceptance, approval or accession. After its entry into force, the amendment shall enter into force for any other State that deposits an instrument of ratification, acceptance, approval or accession six months after the date on which the said State has deposited its instrument. As at 10 July 2003, 14 States had deposited their instruments of ratification and acceptance of and accession to amendment 1 to the Convention;

(c) In accordance with article 8, paragraph 1 (b), of the Convention, amended Protocol II entered into force on 3 December 1998. As at 10 July 2003, 68 States had notified their consent to be bound by it;

(d) In accordance with the provisions of article 5 of the Convention, Protocol IV entered into force on 30 July 1998. As at 10 July 2003, 68 States had notified their consent to be bound by it.

3. The Secretary-General also submits, in the annex to the present report, information on action taken during the period under review, namely, from 1 June 2002 to 10 July 2003.

Notes

¹ The Convention, with its Protocols, the Protocol on Non-Detectable Fragments (Protocol I), the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) and the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III), was opened for signature on 10 April 1981 and entered into force on 2 December 1983. The Review Conference of the States Parties to the Convention, convened in Vienna from 25 September to 13 October 1995 and in Geneva in resumed sessions from 15 to 19 January and from 22 April to 3 May 1996, adopted the Protocol on Blinding Laser Weapons (Protocol IV) on 13 October 1995 and amended Protocol II on 3 May 1996.

The text of the Convention and its original Protocols are reproduced in *The United Nations Disarmament Yearbook*, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII, and in the publication *Status of Multilateral Arms Regulation and Disarmament Agreements*, fourth edition: 1992, vol. 1 (United Nations publication, Sales No. E.93.IX.11 (vol. 1)). The texts of amended Protocol II and Protocol IV are reproduced in the publication *Status of Multilateral Arms Regulation and Disarmament Agreements*, fifth edition: 1996 (United Nations publication, Sales No. E.97.IX.3). The text of the amendment to article 1 is reproduced in *The United Nations Disarmament Yearbook*, vol. 26: 2001 (United Nations publication, Sales No. E.02.IX.1), appendix IV, pp. 290-291.

Annex**Action taken on the Convention and its Protocols during the period from 1 June 2002 to 10 July 2003****A. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects**

State	Date of accession	Consent to be bound pursuant to article 4, paragraphs 3 and 4		
		Protocol		
		I	II	III
Albania	28 August 2002	X	X	X

B. Amendment to article 1 of the Convention

State	Consent to be bound
Canada	22 July 2002
United Kingdom of Great Britain and Northern Ireland	25 July 2002
Australia	3 December 2002
Sweden	3 December 2002
Holy See	9 December 2002
France	10 December 2002
Hungary	27 December 2002
Republic of Korea	13 February 2003
Bulgaria	28 February 2003
Estonia	12 May 2003
Lithuania	12 May 2003
Mexico	22 May 2003
Croatia	27 May 2003
Japan	10 July 2003

C. Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (amended Protocol II)

State	Consent to be bound
Latvia	22 August 2002
Albania	28 August 2002
Slovenia	3 December 2002

D. Protocol on Blinding Laser Weapons (Protocol IV)

<i>State</i>	<i>Consent to be bound</i>
Albania	28 August 2002
Guatemala	30 August 2002
Slovenia	3 December 2002
Mauritius	24 December 2002
Ukraine	28 May 2003

**General Assembly**

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Item 96 (a) of the provisional agenda*

Environment and sustainable development**Promotion of new and renewable sources of energy,
including the implementation of the World Solar
Programme 1996-2005****Report of the Secretary-General***Summary*

Concerns over five issues have strengthened the motivation to increase the use of new and renewable sources of energy: poverty elimination, climate change, localized pollution, increased energy demand and eventual fossil-fuel depletion. The Plan of Implementation of the World Summit on Sustainable Development (WSSD) calls for substantially increasing, on an urgent basis, the global share of energy obtained from renewable sources. The United Nations and its relevant member organizations, other international organizations, national Governments, private corporations and non-governmental organizations are currently engaged in promoting new and renewable sources of energy, including the World Solar Programme 1996-2005. The partnerships for sustainable development resulting from the WSSD process have contributed significantly to the increased interest in renewable sources of energy. The World Solar Programme 1996-2005 has now become a tool for implementing the WSSD Plan of Implementation. Prospects for accelerating the development, dissemination, utilization and commercialization of new and renewable sources of energy have become markedly more optimistic in the past two years.

* A/58/150.



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I. Introduction

1. The General Assembly, in its resolution 53/7, endorsed the World Solar Programme 1996-2005 as contributing to the achievement of the goals of sustainable development and, in its resolutions 54/215, 55/205 and 56/200, called for further action to ensure that this Programme is fully integrated into and brought into the mainstream of the efforts of the United Nations system towards attaining the objective of sustainable development. In resolution 56/200 the General Assembly reiterated that mutually supportive efforts at the national and international levels were imperative in the pursuit of sustainable development, which included, *inter alia*, the provision of financial resources and the transfer of technology for the application of cost-effective energy and the wider use of environment-friendly, renewable sources of energy, and acknowledged that the Commission on Sustainable Development (CSD) and the Economic and Social Council continued to play a pivotal role as forums for the discussion of new and renewable sources of energy and sustainable development, and welcomed the recommendations of the Commission at its ninth session, in particular the references to renewable energy.

2. The General Assembly also took note with appreciation of the report of the Secretary-General on concrete action being taken for the promotion of new and renewable sources of energy, including the implementation of the World Solar Programme 1996-2005 (A/56/129). It also invited the international community to support, as appropriate, including by providing financial resources, the efforts of developing countries to move towards sustainable patterns of energy production and consumption. The Assembly called again upon all relevant funding institutions and bilateral and multilateral donors, as well as regional funding institutions and non-governmental organizations, to support, as appropriate, the efforts being made for the development of the renewable energy sector in developing countries on the basis of environment-friendly, renewable sources of energy of demonstrated viability, while taking fully into account the development structure of energy-based economies of developing countries, and to assist in the attainment of the levels of investment necessary to expand energy supplies beyond urban areas.

3. In expressing its appreciation for the continued efforts of the Secretary-General in bringing the World Solar Programme 1996-2005 to the attention of relevant sources of funding and financial assistance, the General Assembly encouraged the Secretary-General to continue his efforts to promote the mobilization of adequate technical assistance and funding and to enhance the effectiveness and the full utilization of existing international funds for the effective implementation of national and regional high-priority projects in the area of renewable sources of energy. The Assembly recognized that the wider use of available renewable energy technologies required the diffusion of available technologies on a global scale, including through North-South and South-South cooperation, and emphasized the need to intensify research and development in support of energy for sustainable development, which would require increased commitment on the part of all stakeholders, including Governments and the private sector, to deploy financial and manpower resources for accelerating research efforts.

4. The General Assembly requested the Secretary-General, in consultation with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and in cooperation with the United Nations Development Programme (UNDP), the Global Environment Facility (GEF), the United Nations Environment Programme

(UNEP) and other relevant organizations, to submit to it, at its fifty-eighth session, a report on concrete action being taken for the promotion of new and renewable sources of energy, including the effective implementation of, and mobilization of resources for, the World Solar Programme 1996-2005. The present report has been prepared pursuant to that request.

II. Background

5. The importance attached to increasing the use of renewable sources of energy arises from concerns over five issues. The most urgent concern is for the more than 2 billion people currently without access to modern energy services, most of whom live in rural areas where they rely on non-commercial energy sources, such as biomass, firewood, charcoal and animal waste. Burning of these materials, often in open indoor fires, seriously affects the health of women and children in particular. Achievement of the Millennium Development Goal of halving, by 2015, the proportion of the world's population whose income is less than one dollar per day will depend on providing this population with access to modern energy services for their needs and for income generation. For widely dispersed rural populations of low density, decentralized energy technologies based on renewable sources provide a viable alternative to expensive grid extensions. Decentralized renewable energy systems constitute a valuable component of poverty eradication efforts.

6. Also of considerable urgency is the need to reduce the emission of greenhouse gases, which are primarily associated with fossil-fuel extraction and use. Of primary importance are carbon dioxide emission from the combustion of fossil fuels, and the release of methane during the extraction of natural gas, oil or coal, and the transport of natural gas. The third assessment report of the Intergovernmental Panel on Climate Change (IPCC), *Climate Change 2001: The Scientific Basis*, attributes a significant portion of the increase in average global temperature observed over the past 50 years to increasing atmospheric concentrations of greenhouse gases resulting from human activities.¹ The thinning of Arctic ice, retreat of glaciers and sea-level rise that have been reported are predictable manifestations of global warming.

7. There are also serious concerns about localized pollutants emanating from fossil-fuel use, including sulphur and nitrogen oxides, carbon monoxide and suspended particulate matter. Various, these gases contribute to depletion of the stratospheric ozone layer and acid precipitation, as well as to increased incidents of ill health and death. Replacing fossil fuel with renewable sources of energy greatly reduces and often completely eliminates the emission of greenhouse gases and localized pollutants associated with fossil-fuel combustion.

8. A major issue continues to be the need for more energy from all sources, including renewable sources, particularly for the developing nations, which are faced with rising energy demand associated with the twin pressures of significant per capita economic development and increasing populations.

9. Finally, the persistent warning of the ultimate depletion of economically recoverable quantities of fossil fuels, especially oil, but also natural gas and eventually coal as well, cannot be dismissed. It raises the issue of the need to begin phasing into the energy supply mix renewable sources, which can ultimately replace depletable fossil fuels.

10. As a result of concerns for these issues, the international community has gradually come to recognize the importance of developing and utilizing renewable sources of energy. Since the World Solar Programme 1996-2005² was launched as an instrument at the service of the international community for the promotion and enhanced utilization of environment-friendly, renewable sources of energy, this recognition has, in particular, led to a major emphasis on renewable energy for achieving the objectives of sustainable development.

III. Relation to sustainable development and the Plan of Implementation of the World Summit on Sustainable Development

11. Renewable energy was included in the deliberations of the ninth session of the Commission on Sustainable Development (CSD) (New York, 16-27 April 2001) and was highlighted as a means of making energy systems more supportive of sustainable development objectives.³ In particular, the Commission recommended that Governments develop energy services, particularly in rural areas, through, inter alia, where appropriate, the development of renewable energy sources, support for increased use of renewable energies both in grid-connected and decentralized systems, development of appropriate policies and programmes to increase the contribution of renewable energies to total energy consumption, and promotion of the utilization of renewable natural resources such as solar, wind, biomass, geothermal, hydro, including mini-hydro, and ocean energy to meet part of the energy needs for sustainable development. It further recommended the development and implementation of measures to make renewable energy technologies more affordable and strengthening financial support to developing countries for the promotion of renewable energy.

12. As a result of the deliberations of the ninth session of the Commission, renewable energy figured prominently in the preparations for and the deliberations of the World Summit on Sustainable Development (WSSD) (Johannesburg, 26 August-4 September 2002).⁴ The actions called for in the Plan of Implementation emanating from the World Summit include a major focus on energy, including energy from renewable sources, on poverty eradication, on changing unsustainable patterns of consumption and production, and on the sustainable development of regions, including small island developing States and Africa.

13. In addressing the contribution that renewable energy can make to poverty eradication and in support of the Millennium Development Goal of halving, by 2015, the proportion of the world's population whose income is less than one dollar per day, the WSSD Plan of Implementation calls for: (a) increased use of energy from renewable sources as one means to improve access to reliable, affordable, economically viable, socially acceptable and environmentally sound energy services and resources; (b) improved access to modern biomass technologies and sustainably managed fuelwood sources and supplies, and commercialized biomass operations in rural areas and where such practices are sustainable; and (c) improved patterns of use through better management of resources, more efficient use of fuelwood and new or improved products and technologies, aimed at promoting sustainable use of biomass and, as appropriate, other renewable energies.

14. With regard to the need to change unsustainable patterns of consumption and production, the Plan of Implementation calls for substantially increasing, on an urgent basis, the global share of energy obtained from renewable sources with the objective of increasing its contribution to the total energy supply to meet the growing need for energy services in the longer term in order to achieve sustainable development. In support of diversifying the energy supply, the Plan of Implementation points out the need for: (a) developing and disseminating alternative energy technologies, including advanced, cleaner, more efficient, affordable and cost-effective renewable energy technologies, including hydro; (b) developing and utilizing indigenous energy sources and infrastructures for various local uses, and promoting rural community participation in developing and utilizing renewable energy technologies to meet daily energy needs; (c) support by international financial institutions and other agencies to developing countries, as well as countries with economies in transition, in their own efforts to establish policy and regulatory frameworks that create a level playing field among renewable and other energy technologies; (d) promoting increased research and development in the field of renewable energy; (e) utilizing financial instruments and mechanisms, in particular the Global Environment Facility, within its mandate, to provide financial resources to developing countries, in particular least developed countries and small island developing States, to meet their capacity needs for training, technical know-how and strengthening national institutions in promoting renewable energy; and (f) efforts by countries to develop and implement actions within the framework of the ninth session of the Commission on Sustainable Development, including through public-private partnerships, in the field of access to energy, including renewable energy.

15. Specifically for the small island developing States, the Plan of Implementation calls for developing and promoting the efficient use of indigenous sources and renewable energy to support the availability of adequate, affordable and environmentally sound energy services for the sustainable development of these States. The Plan of Implementation also calls for support for initiatives to increase the use of renewable energy, particularly in rural and peri-urban areas, to support the efforts of African nations to achieve the goals of the New Partnership for Africa's Development (NEPAD), one of which seeks to secure access to energy for at least 35 per cent of the African population within 20 years, especially in rural areas.

16. Thus, because of the importance of energy issues to sustainable development and the positive contribution that new and renewable sources of energy can make to achieving the objectives of sustainable development, the efforts of the international community, especially through the Commission on Sustainable Development and the World Summit on Sustainable Development, have accelerated the promotion of the development and utilization of new and renewable sources of energy. In addition to the efforts of national Governments, international organizations and non-governmental organizations in implementing the Plan of Implementation, the World Summit on Sustainable Development has also drawn in other stakeholders, in particular the private sector through public-private partnerships.

IV. International efforts to promote new and renewable sources of energy

17. Efforts to promote new and renewable sources of energy are being carried out at the international level by the United Nations and its member organizations, the World Bank and the Global Environment Facility, other international organizations such as the International Energy Agency, non-governmental organizations such as the International Solar Energy Society, and partnerships that include these organizations, private corporations and national Governments. As a result of the significant increase in activities in this area, due in part to efforts to achieve the objectives of sustainable development, it is possible to provide here only a summary of these activities.

18. As the initiator of the World Solar Programme 1996-2005, the United Nations Educational, Scientific and Cultural Organization (UNESCO) has provided the world community with an instrument for the promotion of renewable sources of energy. In furthering the implementation of the World Solar Programme 1996-2005, UNESCO continues to pursue its two-fold strategy in the field of renewable energy consisting of (a) stimulating advocacy and investment mobilization, and promoting education, training and information efforts, and (b) encouraging regional cooperation through networking and assistance to its member States in defining their national and regional strategies in this area. It also plays an advocacy role in promoting renewable energy technologies for sustainable development through the provision of advisory services aimed at developing capacity-building and sound energy policies. UNESCO implements these activities in conjunction with its field offices to address national and regional needs and priorities.

19. In support of efforts to develop national competencies to enhance the use of renewable sources of energy, UNESCO continues to provide support and technical assistance to its member States towards enhancing policy making, and the planning of projects and programmes, as well as the implementation of priority projects. In particular, UNESCO continues to assist the task force established to restructure the World Solar Commission. The task force has finalized statutes that specify the adoption of a new name, the "World Commission on Renewable Energy", and the re-establishment of this Commission as an autonomous organization. Similarly, UNESCO has provided assistance to the African Energy Commission (AFREC) for the elaboration of a comprehensive energy information system for Africa and the establishment of an AFREC energy database.

20. UNESCO is continuing to implement the Global Renewable Energy Education and Training (GREET) programme, with particular emphasis on its African chapter. The aim of the programme is to improve the use, maintenance and management of solar energy projects and programmes, as well as the transfer of technical know-how, through university teaching, continuing and distance education, and other education and training activities for such professionals as: decision makers, policy makers, researchers, engineers, university instructors and technicians. Brochures, textbooks, and learning and teaching packages on renewable energy technologies have been prepared, field-tested and disseminated. In the context of the African chapter, a newly conceived Mobile Solar Library has been designed and implemented in Zimbabwe. This constitutes an adapted tool for combating illiteracy, as well as a contribution to improving the living conditions of the rural population. To further strengthen capacities for renewable energy technologies, UNESCO

organized a regional training workshop entitled "Photovoltaic (PV) Systems for Decentralized Rural Electrification" in Dar es Salaam, Tanzania, in February 2002, another such workshop entitled "Renewable Energy, Electrification and Cogeneration" in Yaounde, Cameroon, in December 2002, and a training course entitled "Rural Electrification by Solar Hybrid Generation using Renewable Energy" in Quito, Ecuador, in November 2001. Seventy experts benefited from the training workshops in Africa. In cooperation with the European Commission and the Catalan Institute for Energy (ICAEN), the latter activity was carried out as a follow-up to the solar electrification by UNESCO of three schools in the Galapagos Islands, Ecuador. Moreover, UNESCO has launched a publication series on various topics related to the technologies, applications and maintenance of renewable energy systems.

21. In association with multilateral partners and national specialized institutions, UNESCO is promoting the wider use of renewable sources of energy through bilateral and regional cooperation with the organization and launching of regional forums for renewable energy sources. Thus, a meeting of the Secretaries-General of National Commissions for UNESCO of the Southern African Development Community (SADC) countries was held in Harare, Zimbabwe, in October 2001 to inform national representatives on the progress and achievements made in implementing the African Charter of the Global Renewable Energy Education and Training Programme, and to discuss the way forward in implementing the programme and in formulating national and regional action plans related to education and training in renewable energy. In addition, other forums were held for the Caribbean region in Havana, Cuba, in November 2002 and in the Mediterranean region in Marrakech, Morocco, in April 2003 to identify modalities for regional cooperation and partnership, define national and regional action plans and future activities, and identify financing opportunities for projects using efficient renewable energy technologies for sustainable development. These constitute concrete initiatives to assist UNESCO member States in mobilizing resources and identifying financial opportunities in the field of renewable energy by facilitating contacts among decision makers, policy makers, local authorities, investors, financial institutions, industrialists, electricity utilities, programme managers, researchers and other professionals.

22. UNESCO also actively contributed to and participated in an international symposium on wind energy held in Nouakchott, Mauritania, in January 2003. The substantive foundation for the meeting was provided by working documents prepared jointly by UNESCO and the Institut de l'énergie et de l'environnement de la Francophonie (IEPF) on education and training, decentralized rural electrification and environmental protection, and renewable energy for development. A document on mechanisms of implementation was drafted and provided to national authorities in Africa.

23. As a follow-up to the Plan of Implementation of the World Summit on Sustainable Development and taking into consideration the Millennium Development Goals, UNESCO and the Institut de l'énergie et de l'environnement de la Francophonie launched an international network for sustainable energy in June 2003. This network will provide a framework for developing partnerships, joint programmes and projects, and the exchange of information, know-how and experience in the field of renewable energy. Similarly, in collaboration with the International Scientific Council for Island Development (INSUIA) and the European Renewable Energy Council, UNESCO organized a forum on "Island

Authorities and Sustainable Tourist Destinations in Favour of Renewable Energies and Clean Water Production" in May 2003. The objective of this forum was to bring together renewable energy technology experts and decision makers and policy makers of island nations to identify suitable applications for renewable energy systems, so as to introduce renewable energy applications for sustainable island management, particularly with regard to tourism.

24. The Department of Economic and Social Affairs (DESA) of the United Nations Secretariat is continuing to undertake a number of initiatives to assist countries in the development and utilization of renewable energy, in cooperation with other United Nations bodies, other international organizations, donors, the private sector and non-governmental organizations. In this direction, DESA has signed a memorandum of understanding with the E7 group of leading utilities in the major industrialized nations with a major focus on providing assistance to developing nations in the area of renewable energy.

25. With combined funding from the Global Environment Facility (GEF) and the Governments of Australia, China and the Netherlands, a five-year project in China to remove barriers to the rapid commercialization of renewable energy is midway through implementation. Designed to promote renewable energy technology development and a commercial renewable energy technology industry, the project provides training, workshops, demonstration installations, business development, policy facilitation, equipment standards, company and product certification, and overall industry support. The project focuses on (a) village-scale power for household electrification and rural industry, using hybrid wind-solar photovoltaic systems with battery storage and back-up diesel generators, (b) industrial-scale biogas development using industrial and agricultural organic waste effluents, (c) solar water heating systems for buildings, (d) wind power development for grid-based power generation, (e) bagasse-fuelled cogeneration in the sugar industry with grid-based generation, and (f) the development of a national testing and certification programme for the solar water heating industry in China. As part of its market-oriented approach, the project has established and is strengthening the China Renewable Energy Industry Association, is compiling a portfolio of bankable renewable energy projects within an investment opportunity facility, and is creating a geographic information system for solar and wind resource data.

26. In cooperation with Winrock International and Winrock International India, DESA is mid-way through implementing a three-year project on commercializing renewable energy in India with financial support from the United Nations Foundation and the W. Alton Jones Foundation. The aim of the project is to strengthen local entrepreneurial capacity for the sustained commercial operation of small-scale energy enterprises that harness renewable sources to provide energy services for productive applications. The target region for the project is approximately 5,700 villages (about 12.2 million persons) in a semi-arid tropical region in the state of Andhra Pradesh. The project team is working through such intermediaries as micro-credit institutions, self-help groups and scheduled caste and tribal organizations to facilitate the development of entrepreneurial talent. Also with support from these donors, DESA completed a project with Carnegie Mellon University of Pittsburgh, PA, USA, and four leading Indian energy and engineering institutions to address some of the technical and policy issues that have hindered the widespread utilization of advanced biomass conversion technology in rural areas of developing countries. The project has demonstrated the technical viability,

commercial competitiveness and environmental compatibility of biomass-fuelled electricity generation systems with generation capacities between 100 and 500 kW for use in rural India.

27. Under a trust fund established by the Government of Italy, assistance is also provided by DESA to small island developing States for projects to promote solar lighting in homes, schools and community centres and for such solar-operated equipment as radios, televisions and medical refrigerators. In addition to five previously completed projects, another was completed in Marshall Islands and two others are under implementation in Fiji and Papua New Guinea. Also under this trust fund, a project to provide passive solar housing as part of the post-conflict reconstruction effort in Somalia has been completed. The project included the training of returning refugees in the design and construction of vault and dome buildings using sun-dried mud bricks and passive solar design principles. Since the completion of the project, these newly trained masons have been employed under a UNDP-funded pilot project to build 72 passive solar homes for returning refugees.

28. In close cooperation with the Government of Syria and with funding and support provided by UNDP, DESA has developed a national renewable energy master plan for Syria. In identifying areas where renewable energy can make a significant contribution to the national energy budget, the master plan contains concrete proposals for wind, biomass, solar, hydro and hybrid energy systems, as well as accompanying measures that provide for institution building, capacity-building and market studies. UNDP is working with the Ministry of Electricity to organize financing to implement concrete measures in the plan.

29. The Global Environment Facility, through its three implementing agencies (the World Bank, UNDP and UNEP), continues to provide significant levels of financing for renewable energy projects in developing countries. Total funds mobilized for these projects have exceeded \$6 billion, because GEF grants have also leveraged significant financing and other resources from Governments, other donor agencies, regional development banks, implementing agencies, and the private sector. These renewable energy projects fall into two categories: those aimed at removing barriers to markets for commercial or near-commercial technologies, and those for reducing long-term technology costs through research, demonstration and commercialization. The Facility seeks to involve and support the private sector and promote commercial and sustainable markets for a variety of renewable applications, with the overarching goal of developing sustainable private markets to expand the use of renewable energy in developing countries and maximize the social, economic and environmental benefits this can bring. GEF renewable energy projects involve private firms as manufacturers and dealers, local project developers, financial intermediaries, recipients of technical assistance, technology suppliers and contractors, and project executors. Private project developers, for example, receive financing and technical assistance, while also benefiting from improved regulatory frameworks.

30. Examples of GEF-financed projects include support for: the application of a low-cost technology to convert agricultural waste to cooking gas in rural China; financing and training for the sale and servicing of small solar energy systems in rural areas of Ecuador, Ghana, India and Indonesia; a biomass plantation project in Senegal; the installation of solar thermal power plants in Egypt, India, Mexico and Morocco; demonstrating market expansion opportunities for solar photovoltaic

technology in the Philippines; and the application of modern technologies to generate electricity from bagasse in Brazil and Mauritius. The Global Environment Facility has launched long-term project approaches, such as a new 10-year project to remove market barriers to private sector development for approximately 70 megawatts of biomass, hydro, and solar energy systems in Uganda, and a similar project in China aimed at achieving a national goal of 5 per cent of power generation from renewable energy sources by 2010.

31. The renewable energy activities of the United Nations Development Programme (UNDP) are extensive with about 70 per cent of its country offices in developing countries and countries with economies in transition reporting work on sustainable energy, with the major area of focus being renewable energy. Thanks to its role as an implementing agency of the Global Environment Facility and through its Thematic Trust Fund on Energy for Sustainable Development, UNDP has a growing portfolio of activities that focus on making modern energy technologies available to addressing both local development needs and global environmental protection, but with strong links to enhanced rural energy services, national policy development and financing facilitation.

32. As part of the preparatory process for the World Summit on Sustainable Development, UNDP and the World Bank launched a Global Village Energy Partnership that emphasizes increasing access to energy services and poverty reduction. With a worldwide scope, the partnership aims to provide access to modern energy services to about 400 million people who were previously unserved, including over 50,000 communities. By bringing together Governments, donors, public and private organizations, multilateral institutions, energy consumers and others, the partnership will reach out to non-energy organizations in the health, education, agriculture, water, transport, telecommunications and enterprise sectors to offer a range of energy technologies to meet their needs. Renewable energy technologies are prominent in the range of energy options to be utilized. The partnership will offer assistance in financing facilitation, capacity-building and knowledge management.

33. Working with a wide range of partners, the United Nations Environment Programme (UNEP) addresses the environmental consequences of energy production and use such as global climate change and local air pollution, and assists decision makers in government and the private sector make better and more informed energy choices that fully integrate environmental and social costs, with an emphasis on renewable energy. Its Rural Energy Enterprise Development initiatives have been effective in launching clean energy enterprises that apply best-practice approaches to the supply of sustainable energy services. Most of the 11 enterprises launched in Africa focus on renewable energy technologies, as do most of the 25 enterprises receiving assistance in Brazil and as will the enterprises being launched in north-west and western China. With support from the United Nations Foundation and Shell Foundation, UNEP is assisting an Indian solar credit facility to help commercial banks make loans for solar photovoltaic systems. A vendor qualification process and bank training programme are included in this effort. As part of a partnership with the Government of Italy, UNEP has launched a project to investigate options for increasing financial flows to renewable energy projects in the Mediterranean region. UNEP has produced a number of publications on renewable energy technologies.

34. UNEP has launched a Global Network on Energy for Sustainable Development, which promotes sustainable energy development through policies and actions that expand access to environmentally sound energy services, primarily from renewable sources. The network is helping to develop and apply knowledge through collaborative analytical studies, policy support, capacity development and information exchange. The network links centres in developing countries with a demonstrated capacity for work on energy, development and environment issues.
35. Collaborating agencies have begun work on the UNEP Solar and Wind Energy Resource Assessment project. National agencies are gathering ground measurement data and are receiving training, and technical assistance agencies have begun modelling solar and wind resource potential in order to make available more accurate data on solar and wind energy availability that can serve as a basis for investment in renewable energy projects.
36. The United Nations Industrial Development Organization (UNIDO) promotes the development of renewable energy technologies, including sustainable biomass, solar, wind, and mini-hydro energy. Its technical assistance in these areas supports a broad series of initiatives at the policy, institutional and enterprise levels to provide a solid foundation for the widespread introduction of renewable energy technologies. These initiatives include capacity-building related to renewable energy technology, and the assembly and manufacture of equipment in developing countries. A specialized International Centre for the Application of Solar Energy is functioning in Australia to provide rapid and cost-effective support and advice on solar energy technologies and market advice for entrepreneurs seeking to invest in solar and other renewable energy industries. UNIDO is also working to raise awareness of new and innovative ways of financing more efficient power-generating capacity, particularly for hydropower projects in Latin America.
37. At the policy level, the Food and Agriculture Organization of the United Nations (FAO) continues to address the linkages between energy in general, and renewable energy in particular, with rural economic activity in order to promote growth and poverty alleviation. FAO is launching a new strategy on bioenergy that has a wood energy component and an agro-energy component. This strategy is designed to consolidate efforts related to the critical situation of traditional biomass in many rural areas of developing countries, and to promote the entry of modern biomass energy conversion, such as agricultural and forestry sub-products and, more specifically, energy crops. In cooperation with UNDP, FAO has assisted the Government of Niger in the formulation of a national strategy and plan of action for renewable energy use in rural areas. Following adoption of the strategy and plan by the Government, the approach is being discussed with other countries in the region. FAO continues to promote the application of biomass, solar and wind energy systems in rural areas, with the design and promotion of productive uses of renewable energy an important area of focus.
38. The World Meteorological Organization (WMO) promotes sustainable energy production and use in several programmes, including the provision of guidance material and training seminars, focusing on the use of climate information in the development and operation of renewable energy systems based on biomass, hydro, solar and wind energy resources. A major focus of WMO programmes is the provision of guidance material and capacity-building for the needs and requirements for services in the energy sector.

39. Extensive programmes that promote the development and use of renewable sources of energy are also being implemented by several of the United Nations regional economic commissions, including the Economic Commission for Latin America and the Caribbean (ECLAC), the Economic and Social Commission for Asia and the Pacific (ESCAP) and the Economic and Social Commission for West Asia (ESCWA). The focus of ECLAC is on preparing studies on the potential and use of new and renewable sources of energy in the region and promoting specific energy sources, and supporting training seminars and courses on relevant aspects of energy development, planning and regulation. ESCAP is continuing to promote greater awareness of renewable energy technologies and their potential, and to enhance capacity-building through the organization of seminars, workshops and projects to share experiences and know-how. One project on capacity-building for the integration of energy and rural development planning supports the efforts of Governments to meet the energy needs of rural populations through increased utilization of locally available renewable energy resources, in particular biomass. Renewable energy is a core activity of ESCWA, which has developed a regional approach for disseminating renewable energy technologies and support activities for water desalination, rural electrification and capacity-building. In addition, ESCWA provides advisory services and technical cooperation and produces publications on renewable energy issues. With the increased importance given to regional activities in the Plan of Implementation adopted by the World Summit on Sustainable Development (WSSD), it is expected that future renewable energy activities of the regional commissions will be more extensive.

40. The WSSD process generated a number of partnerships involving Governments, international organizations, the private sector, and non-governmental organizations. By drawing on the additional financial resources and expertise of the private sector and the expertise and contacts of the non-governmental organizations, it is expected that these partnerships will significantly expand the scale of dissemination and utilization of renewable energy technologies, particularly in developing countries. Of the 23 partnerships for sustainable development registered under the energy category with the Department of Economic and Social Affairs of the United Nations Secretariat, 12 are devoted to or have a major focus on renewable energy. In addition to the Global Village Energy Partnership led by UNDP and the World Bank, and the Global Network on Energy for Sustainable Development led by UNEP, these partnerships are: the Business Alliance for Solar Water Heaters led by Jacques Giordano Industries (France); the Development Strategies to Promote Rural Energy Systems partnership, led by UNIDO; the Energy and Environment Partnership with Central America, led by the Ministry of Foreign Affairs of Finland and the Comisión Centroamericana de Ambiente y Desarrollo; the Indonesia-French Public and Private Partnership to Develop Mini-Hydro Power in Rural/Remote Areas on a Sustainable Basis, led by the Ministry of Energy and Mineral Resources of Indonesia; the Market Facilitation Partnership for Concentrating Solar Power Technologies, led by the UNEP-GEF Technology Transfer Networks; the Mechanism for the Development of Renewable Energy and Energy Efficiency in Developing Countries, led by the Development Agency of the Government of France; the Mediterranean Renewable Energy Programme, led by the Government of Italy; the Modern Biomass Technology for Rural Energy Needs partnership, led by the Centre de coopération internationale en recherche agronomique pour le développement (CIRAD) (France); the Renewable-Energy-Based Rural Electrification Initiative, led by the Pacific International Center for

High Technology Research (United States of America); and the Renewable Energy and Energy Efficiency Partnership of the Government of the United Kingdom.

41. In addition, there are other major initiatives that have resulted from the WSSD process. One of these is the Johannesburg Renewable Energy Coalition of 82 member States, with the European Commission as its secretariat. Another is the decision announced at the Summit by the German Federal Chancellor that the Government of Germany will host the International Conference for Renewable Energy in Bonn, Germany, in June 2004. This conference will be another vehicle for promoting new and renewable sources of energy that can be expected to produce substantial results.

42. Moreover, the continuing promotional activities of professional non-governmental organizations should not be overlooked. Such organizations as the International Solar Energy Society and the European Wind Energy Association offer an important pool of professional expertise and experience upon which the international community can draw in developing, disseminating, applying and promoting renewable energy technologies.

V. Conclusion: Prospects for the future

43. The actions at the international level described in section IV above indicate a significant acceleration of interest in and support for the development and utilization of new and renewable sources of energy. Not only have the number of actions and their magnitude increased, but the number of actors has expanded significantly, primarily through the process that led to and resulted from the WSSD, and the types of activities are more varied and innovative. The introduction of the Partnerships for Sustainable Development initiative has generated substantial interest in renewable energy technologies and is expected to lead to major advances in the dissemination and utilization of these technologies. Other notable developments were the establishment of the Johannesburg Renewable Energy Coalition and the decision by the Government of Germany to host the International Conference for Renewable Energy in Bonn, Germany, in June 2004.

44. It is also evident that the Plan of Implementation of the World Summit on Sustainable Development has come to incorporate the actions involved in the implementation of the World Solar Programme 1996-2005, which can now be seen as a tool for implementing the Plan of Implementation.

45. The eleventh session of the Commission on Sustainable Development (New York, 28 April-9 May 2003) adopted "energy, industrial development and climate change" as the cluster theme for its second cycle (2006-2007). It is expected that the increasing development and utilization of renewable energy will be one of the key issues for review of the implementation of the WSSD Plan of Implementation.

46. Thus, while challenges and obstacles to the promotion of new and renewable sources of energy remain, the situation in the past two years has changed markedly and there is justification for guarded optimism. The importance of further increasing the financial resources available to developing, disseminating, applying and commercializing new and renewable

sources of energy cannot be overlooked. Moreover, the initiatives that have been launched through the World Summit on Sustainable Development have yet to demonstrate their effectiveness. However, the twin concerns of poverty elimination and climate change have produced an unprecedented level of interest in new and renewable sources of energy that it can only be hoped will lead to a commensurate level of practical results.

Notes

¹ Report of the Secretary-General, *Protection of the Atmosphere* (E/CN.17/2001/2).

² The term "solar" is used herein in a generic sense and refers to all forms of renewable energy including the solar thermal, solar photovoltaic, biomass, wind, mini-hydro, tidal, ocean and geothermal forms.

³ Commission on Sustainable Development, Report on the ninth session (5 May 2000 and 16-27 April 2001) E/2001/29 (E/CN.17/2001/19).

⁴ Report of the World Summit on Sustainable Development, A/CONF.199/20* (2003).